

Practitioner's Docket No. 032794-054780-RCE

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gregory Altman et al.

Application No.: 10/008,924

Group No.: 1651

Filed: November 16, 2001

Examiner: Naff, David M.

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS,
TENDONS AND OTHER TISSUE

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date 9/27/04

Nicole M. Aguirre
(type or print name of person mailing paper)

Nicole M. Aguirre
(signature of person mailing paper)

RESPONSE UNDER
37 C.F.R. 1.312
EXAMINING GROUP
1651

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER ALLOWANCE
(37 C.F.R. §1.312)

Applicants submit herewith an Amendment After Notice of Allowance. Applicants further enclose the requisite Petition Fee for \$130.00 in connection with the Amendment After Notice of Allowance.

Amendment to the TITLE is presented on page 2.

Remarks are presented on page 3.

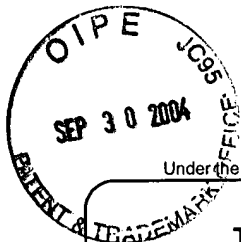
10/04/2004 WABDELK1 00000042 10008924
01 FC:1460 130.00 OP

Amendment under 37 C.F.R. 1.312 dated September 27, 2004
U.S.S.N. 10/008,924
Page 2 of 3

IN THE TITLE:

Please amend the title as follows:

~~MATRIX CONTAINING SILKWORM FIBROIN FIBERS~~
HELICALLY ORGANIZED SILK FIBROIN INTO FIBER BUNDLES
FOR MATRICES IN TISSUE ENGINEERING



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/008,924
Filing Date	November 16, 2001
First Named Inventor	Gregory H. Altman
Art Unit	1651
Examiner Name	David M. Naff
Attorney Docket Number	032794-054780-RCE

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Letter Accompanying 1.312 Amendment;
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Certificate of Mailing; Check - \$130.00; Return
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Receipt Postcard.
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Commissioner is authorized to charge fee deficiencies or credit overpayments to the NIXON PEABODY LLP Deposit Account No. 50-0850.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David S. Resnick NIXON PEABODY LLP, 100 Summer Street, Boston, MA 02110-2131
Signature	
Date	9/27/04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name		Nicole M. Aguirre	
Signature		Date	09/27/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gregory Altman et al.
Application No.: 10/008,924
Filed: November 16, 2001
For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED
LIGAMENTS, TENDONS AND OTHER TISSUE

Group No.: 1651

Examiner: Naff, David M.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Transmittal Form (1 pg.);
2. Letter Accompanying Amendment After Allowance (37 C.F.R. § 1.312) (2 pp.);
3. Amendment After Allowance (37 C.F.R. § 1.312) (3 pp.);
4. Fee Transmittal (1 pg.);
5. Check - \$130.00;
6. Return Receipt Postcard;

is on the date shown below being:

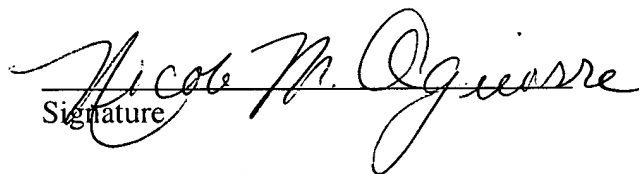
MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MAIL STOP ISSUE FEE, the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

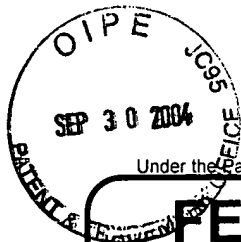
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transmitted by facsimile to the Patent and Trademark Office.

Date: September 27, 2004


Signature

Nicole M. Aguirre
(type or print name of person certifying)



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complete if Known

Application Number 10/008,924
Filing Date November 16, 2001
First Named Inventor Gregory H. Altman
Examiner Name David M. Naff
Art Unit 1651
Attorney Docket No. 032794-054780-RCE

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-0850 - charge deficiencies this submission

Deposit Account Name NIXON PEABODY LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$130.00)

SUBMITTED BY

Name (Print/Type) David S. Resnick

Registration No. (Attorney/Agent) 34,235

Telephone 617-345-6057

Signature

Date September 27, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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RESPONSE UNDER
37 C.F.R. 1.312
EXAMINING GROUP
1651

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER ACCOMPANYING AMENDMENT AFTER ALLOWANCE
(37 C.F.R. § 1.312)

1. Please make the amendments shown in the attached papers in this application in the title.
2. Type of amendment:

Correction of formal matters

As shown in the remarks of the attached paper, these (1) are needed for proper disclosure or protection of the invention and (2) require no substantial amount of additional work on the part of the PTO.

3. The issue fee has not been paid.

In re application of: Gregory H. Altman, et al.
Application No.: 10/008,924 Group No.: 1651
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TENDONS AND OTHER TISSUE

4. Additional Fees

For any additional fees that may be required by the filing of this paper please charge the NIXON PEABODY LLP Deposit Account No. 50-0850.

Date:

9/27/04

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110
(617) 345-6057